

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JO ANNA CANZONERI McCORMICK,

Plaintiff,

-against-

ALHAMBRA, a business entity, et al.,

Defendants.

1:19-CV-9690 (CM)

ORDER OF DISMISSAL
UNDER 28 U.S.C. § 1651

COLLEEN McMAHON, Chief United States District Judge:

On December 8, 2011, Judge Preska of this Court barred Plaintiff from filing any new civil action *in forma pauperis* (IFP) in this Court without first obtaining from the Court leave to file. *Canzoneri v. Tribune, A Business Entity*, ECF 1:11-CV-6614, 6 (S.D.N.Y. Dec. 8, 2011). On October 16, 2019, Plaintiff filed the present *pro se* action. And while Plaintiff has not filed an application to proceed IFP, she has also not paid the relevant fees to bring this action. In addition, Plaintiff has not sought leave to file this action. The Court therefore dismisses this action without prejudice because of Plaintiff's failure to comply with Judge Preska's December 8, 2011 order in *Canzoneri*, ECF 1:11-CV-6614.

The Court directs the Clerk of Court to assign this matter to my docket, mail a copy of this order to Plaintiff, and note service on the docket. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore IFP status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

The Court directs the Clerk of Court to docket this order as a “written opinion” within the meaning of Section 205(a)(5) of the E-Government Act of 2002.

SO ORDERED.

Dated: October 23, 2019
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON
Chief United States District Judge